IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI.W.P.NO.2763 OF 2005

Santosh Asghok Behre ..Petitioner

Vs.

The State of Maharashtra
and Ors. ..Respondents

....

Smt.Pranali Kakade Advocate (appointed) for Petitioner
Mrs.A.S.Pai, A.P.P. for State

....

CORAM: D.G.DESHPANDE AND SMT.V.K.TAHILRAMANI,JJ.

DATE : APRIL 10,2006

ORDER ORDER : (PER SMT. V.K.TAHILRAMANI,J):

1. Heard learned advocate for the petitioner and learned A.P.P. for the State. Rule. By consent, rule is heard forthwith.

2. The petitioner had preferred application for furlough. The said application for furlough came to be rejected on the ground that there is danger to the life of the witnesses specially complainant Basappa and witness Rashid Shaikh if the petitioner is released on furlough. As far as this

apprehension is concerned, there is no material on record to substantiate the same. We are of the opinion that the said apprehension can be taken care of by imposing certain conditions on the petitioner while releasing him on furlough.

3. The petitioner be released on furlough in accordance with the usual terms and conditions. In addition thereto, the petitioner shall not enter the area of Turbhe, Navi Mumbai. The petitioner shall inform the address at which he will reside during the period that he is on furlough. He will report to the nearest police station to that address on every alternate day during the period that he is on furlough.

4. Rule made absolute in the above terms. Petition is disposed of.

[D.G.DESHPANDE, J.]

[SMT.V.K.TAHILRAMANI,J.]